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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,790	11/02/2000	Yasuro Shobatake	199259US2SRD DIV	3509

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1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

NGUYEN, STEVEN H D

ART UNIT	PAPER NUMBER
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2665

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/703,790

Applicant(s)

SHOBATAKE, YASURO

Examiner

Steven HD Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 November 2000 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 08/870,425.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 20-23 and 25-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawamura (USP 5371553).

Regarding claims 20, 22, 25 and 27, Kawamura discloses (Figs 1-19 and col. 3, lines 35 to col. 19, lines 4) a system and method for a plurality of information apparatuses (Fig 5), comprising acquiring index information associated with processes which can be executed on each of the information apparatuses connected to a network to transmit information among them (col. 5, lines 35-55, the monitor transmits a command to the audio video units to retrieve the menus for displaying on the monitor), through said network, the index information being stored in each of said plurality of information apparatuses through said network and relating data held in said information apparatuses (col. 5, lines 43-44, the audio visual units stored menu information); presenting the index information acquired in the step of acquiring the index information; and when given data and a given process are linked together on the basis of the index information presented in the step of presenting the index information, transmitting the given data from one of the information apparatuses which holds the given data to another of the information apparatuses which executes the process linked with the data through said network

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(Fig 16, the monitor transmits a command to a VTR to request a stored data in the VTR; the VTR transmits the stored data to the monitor after receiving a command).

Regarding claims 21, 23, 25 and 28, Kawamura discloses the step of presenting index information presents bitmap and character information included in the index information (Fig 19, Icon and text).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 24 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamura in view of Fuhrmann (USP 5371553).

Regarding claims 24 and 29, Kawamura discloses (Figs 1-19 and col. 3, lines 35 to col. 19, lines 4) a method and system comprising storing index information in each of said plurality of information apparatuses (col. 5, lines 43-44, the audio visual units stored menu information); acquiring index information associated with processes which can be executed on each of said information apparatuses connected to a network to transmit said index information among said information apparatuses, the index information relating data held in said information apparatuses (col. 5, lines 35-55, the monitor transmits a command to the audio video units to retrieve the menus for displaying on the monitor); presenting the index information acquired in the step of acquiring the index information; when given data and a given process are linked together on the

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basis of the index information presented in the step of presenting the index information, setting connection between the information apparatus holding the data and the information apparatus which executes the process linked with the data; and using the, connection placed in the step of setting the connection to transmit the information data using a packet to said information apparatus which executes the process linked with the information data (Fig 16, the monitor transmits a command to a VTR to request a stored data in the VTR; the VTR transmits the stored data to the monitor after receiving a command wherein the packet used to carry information between the devices and Fig 6). However, Kawamura fails to disclose the information are carried in the payload of a fixed length message. In the same field of endeavor, Fuhrmann discloses the information apparatuses comprising a SAR for receiving and transmitting a fixed length packet via a network (Fig 27, 1034 for interface with VCR, TV).

Since, a method for segmenting a packet into a fixed length packet is well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a SAR device into the information apparatuses for conveying the information between them as disclosed by Fuhrmann's system into Kawamura's system. The motivation would have been improve the throughput of the network.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Eisenhandler (USP 5425291) disclose a method and system for communication between the devices on the network.

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Fujita (USP 5500794) discloses a method and system for distributing the control menus on the network.

Florin (USP 5583560) disclose a method and system for audio visual interface for selective display of listing information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (703) 308-8848. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D Vu can be reached on (703) 308-6602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Steven HD Nguyen
Primary Examiner
Art Unit 2665
5/14/04